The following vignettes illustrate the procedures outlined in the Collective Agreement. All scenarios, including names and course numbers, are fictitious. Unless otherwise indicated the incumbents have received evaluations above 4.0.

**Jo and Mike both apply to teach STAT 2003. They are the only applicants and neither has taught at Carleton before. Who should be hired?**

**A:** The Union has no position on who should be hired, although the Chair/Director should hire the best qualified applicant. 
**Explanation:** While the Collective Agreement sets out the hiring process, its provisions only apply to members (any person who has taught at least one course at Carleton in the last two years). If no applicants are CUPE 4600 Unit 2 members, it is entirely up to the Chair/Director whom to hire.

**Steve and Patty are members of CUPE 4600 Unit 2 and both apply to teach ANTH 3032. Neither of them has taught that specific course and they have comparable teaching experience and expertise in the subject. Steve has 3 seniority points and Patty has 5 seniority points. Who should be hired?**

**A:** Patty ([Article 16.3 c](#))

**Explanation:** When applicants are members of CUPE 4600 Unit 2, and they are both qualified to teach a particular course, the applicant with the most seniority is the correct hire.

**Paul and Andre both apply for SOWK 1009. They are both members and incumbents (they have both taught SOWK 1009 before) for the class. Paul last taught SOWK 1009 in summer 2009 and taught it twice. Andre last taught the course in fall 2010 and has taught it three times. Paul has 7 seniority points and Andre has 5.5 seniority points. Who should be hired?**

**A:** Paul ([Articles 16.4c & 16.5](#))

**Explanation:** When two incumbents apply for the same course, the more senior incumbent must be hired, regardless of who taught it last or how many times each candidate as taught the course.

**Nigel, Juan and Janet apply to teach CRIM 3904. Nigel and Janet have taught the class before (they are incumbents). Juan has taught many other classes in the CRIM department, but not CRIM 3904. Juan has 20 seniority points, Nigel has 7 seniority points, and Janet has 6.5 seniority points. Who should be hired?**

**A:** Nigel ([Article 16.4a](#))

**Explanation:** Nigel and Janet are incumbents for this course and incumbency for a particular course is more important than seniority in making hiring decisions. While Juan is qualified and has the most seniority points among these applicants, those who have taught the class before have priority. Nigel is hired because he has more seniority than Janet. If Nigel turns the course down, Janet must be hired.

**Allison is a non-member (she has not taught at Carleton in the last 2 years) and has no other affiliation with Carleton. She applies to teach POLI 3432. Jane is an incumbent for POLI 3432 and also applies for the course. Allison is a qualified teacher and a known expert in the field, but has no seniority and is not affiliated with the university in any way (she’s not a postdoctoral fellow, visiting scholar, or graduate student). Who should be hired?**

**A:** Jane ([Article 16.4a](#))

**Explanation:** Incumbency is the most important factor in this case. If the incumbent has received teaching evaluation scores above 4.0 in that course, he/she must be hired to teach the course, even if there is a non-member who might be considered an expert in the field. If the incumbent’s teaching evaluation is below 4.0, the Chair/Director has the option to have a meeting with the contract instructor. If, through a conversation with the instructor, the teaching score can be explained to be an anomaly (i.e. the instructor has a history of above 4.0 in that course, the instructor has above 4.0 in other classes in the same term or year, the instructor has a history of above 4.0 teaching evaluations in that course; there are external factors that led to a lower teaching score i.e. consistent technology fail, a disruptive student etc.) no further action needs to be taken. If the teaching score is not viewed as anomalous, then further action must be taken before the instructor can be disqualified from being hired to teach a course.
Reema and Bob both apply to teach MATH 3344. Reema is a member of CUPE 4600 and has 2 seniority points, but has not taught that course before. Bob is a non-member, but he is a doctoral student at Carleton. Who should be hired?

A: Either may be hired. If the Chair/Director chooses to hire Bob, certain conditions must be met. Explanation: The Collective Agreement permits Chairs/Directors to hire graduate students in exception to the regular hiring provisions of Article 16, to a total of 17% at the Faculty level. The Chair/Director may only do so if Bob is registered and has been appointed to 1.5 or fewer courses pursuant to Article 17 already. Before any hiring can be made under the 17 clause, the Dean must be contacted to determine a Unit’s Article 17 allocation. Note: If a graduate student is hired to teach a course pursuant to Article 17, he/she does not have incumbency rights to the course. He/she also does not have any seniority until he/she is hired through a competition. Once any courses for that term have been offered, graduate students may no longer be appointed by the use of Article 17. Members who are also graduate students can be hired based on incumbency and/or seniority, where appropriate.

Natasha and Anton both apply for SYST 2102. Neither has taught the class before. Natasha has .5 seniority points. Anton was hired previously for one class in SYST under Article 17 as a doctoral student. Both candidates are equal in qualifications and experience. Who should be hired?

A: Natasha (Article 17.3) Explanation: Because Anton has only been hired as an Article 17 appointee, he should be treated as a non-member with no seniority. In this case, Natasha should be hired because she is a qualified member with seniority.

Ryan is a non-member and has no other affiliation with Carleton. He applies to teach BIOL 1799. Don has 1 seniority point, but has never taught BIOL 1799 and also applies for the course. Ryan and Don have comparable teaching experience and expertise in the area. Who should be hired?

A: Don (Article 16.5) Explanation: When there is a qualified applicant who is a member, the member is the correct hire.

Samuel and Ming are both members of CUPE 4600. Samuel has 4.5 seniority points and Ming has 1 seniority point. They have both applied to teach a new course, ECON 3651. Ming wrote her doctoral dissertation in the field and Samuel is an incumbent for ECON 2651. Who should be hired?

A: Either may be hired, but the Chair/Director must justify his/her decision (Article 16.3 e) Explanation: When the Chair/Director hires a more junior member, he/she must be able to show that this individual is demonstrably more qualified (i.e. that the applicants are not relatively equally qualified). If the Chair/Director determines that the candidates are relatively equally qualified, or has not asked for sufficient demonstration of qualifications, he/she must make the appointment based on seniority.

Amy is a non-member and has no other affiliation with Carleton. She applies to teach ENGL 3818. Maria has 2 seniority points, but has never taught ENGL 3818, and also applies for the course. Amy has taught at Queen’s for 10 years and is an expert in the field. Maria is qualified to teach many courses in ENGL, but has no particular expertise in this subject matter covered in ENGL 3432. Who should be hired?

A: Either one could be hired. Explanation: If the Chair/Director determines that Maria is not qualified to teach ENGL 3432 then he/she may look to external candidates. If he/she determines that Maria is qualified, he/she should hire her. For any job, members must be looked at first. If it is determined that there is at least one member who is qualified, that is who should be hired.

Thirteen people apply for one course. How do you go about deciding who is the correct hire?

I. Establish if there are any incumbents (a member who has taught the course in the last 5 years).
   a. If there is one incumbent, that person will be hired to teach the course.
   b. If there is more than one incumbent, the incumbent with the most seniority will be hired to teach the course.
II. If there are no incumbents, members must be considered first. If it is established that there is at least one member who is qualified, that is who should be hired.
   a. If there is more than one qualified member, the one with the most seniority is the correct hire. Qualifications can only be judged based on the material requested in the application. The applicants who are not qualified do not need to be considered further.
   b. If a junior member is demonstratively more qualified (i.e. the applicants are not relatively equally qualified) he/she may be hired over a more senior member. If the Chair/Director determines that the candidates are relatively equally qualified, or has not asked for sufficient demonstration of qualifications, he/she must make the appointment based on seniority.
   c. NB: It is the Union’s perspective that in order for a non-member to be hired over a member, a Chair/Director must be able to demonstrate that there are no qualified members.

III. If there are no incumbents or qualified members, the Union takes no position on who should be hired

*Should there be any discrepancies between the Collective Agreement and this annotation, the collective agreement is considered the final authority.*